

AO 91 (Rev. 08/09) Criminal Complaint

United States District Court
Southern District of Texas
FILED

UNITED STATES DISTRICT COURT JUL 12 2018

for the

Southern District of Texas

Clerk of Court

United States of America

AKA *Francisco Santiago Rodriguez - Nunez*
 Marcos Garcia-Rodriguez (Mx. National, YOB: 1990)
 Beatriz Adriana RODRIGUEZ (USC, YOB: 1979)

SEAL

Case No.

M-18-1424-M

(7-13-18)

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August 2015 through July 12, 2018 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. Section 1341;
 18 U.S.C. Section 1343;
 18 U.S.C. Section 1346

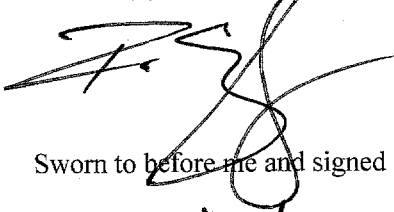
Mail Fraud
 Wire Fraud
 Conspiracy to Commit Mail Fraud; Conspiracy to Commit Wire Fraud

This criminal complaint is based on these facts:

See Attachment A

✓ Continued on the attached sheet.

Approved by



Sworn to before me and signed in my presence.

Date:

7/12/18

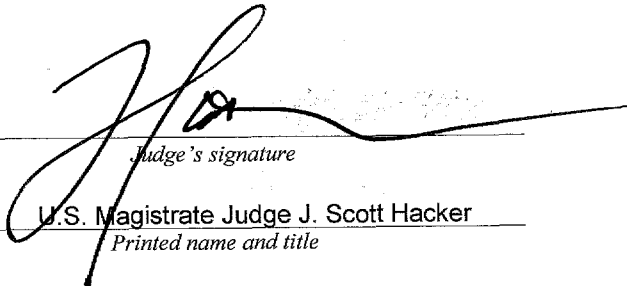
City and state: McAllen, Texas



Complainant's signature

Jesus Palomo, HSI Special Agent

Printed name and title



Judge's signature
U.S. Magistrate Judge J. Scott Hacker
Printed name and title

Attachment A

1. The purpose of this affidavit is in support of a complaint to arrest Beatriz Adriana RODRIGUEZ, a United States citizen, and Marcos Rodriguez, a Mexican National, for violations of Title 18 United States Code Sections 1341, 1343 and 1346, mail fraud, wire fraud, and conspiracy to commit mail and wire fraud. The information in this affidavit is based on personal knowledge and information provided to me by other law enforcement officers and individuals. The information in this affidavit is provided for the limited purpose of establishing probable cause. The information is not a complete statement of all the facts related to this case.
2. In 2017, Homeland Security Investigations (HSI) McAllen, Texas received information from the Office of Professional Responsibility (OPR) regarding a complaint relating to a scheme orchestrated by Marcos GARCIA-RODRIGUEZ (hereinafter "GARCIA-RODRIGUEZ"). GARCIA-RODRIGUEZ claimed to be a general manager for the Social Security Office in Mission, Texas and promised an individual that he could help him obtain legal documents and a driver's license. The complainant stated he sent a total of \$11,010.00 through a money service business to GARCIA-RODRIGUEZ' alleged sister, Beatriz Adriana RODRIGUEZ (hereinafter "Rodriguez"). The complainant provided a cell phone number for GARCIA-RODRIGUEZ.
3. Thereafter, HSI agents conducted an undercover operation and called the number provided for GARCIA-RODRIGUEZ. During the course of that operation, a traffic stop was conducted on a vehicle driven by the owner of the cell phone associated with GARCIA-RODRIGUEZ. During the traffic stop, the driver identified himself as MARCOS RODRIGUEZ and provided an address in McAllen, Texas. During the course of the operation, GARCIA-RODRIGUEZ was also met by RODRIGUEZ, who GARCIA-RODRIGUEZ stated was his wife.
4. HSI agents later obtained records from Moneygram revealing RODRIGUEZ received significant payments from individuals in different states. HSI Agents interviewed multiple individuals who sent the wire payments and determined that RODRIGUEZ received over \$50,000.00 from individuals hoping to obtain immigration documents, legal status, or driver's licenses from at least August 2015 through August 2017.
5. Through the course of the interviews with the individuals sending the money to RODRIGUEZ, Agents learned that GARCIA-RODRIGUEZ was using the same method of operation to scam victims for several thousand dollars each. After the individuals made contact with GARCIA-RODRIGUEZ, he would identify himself as the manager of a Social Security Administration and the Texas Department of Motor Vehicle (DMV) office in Mission, TX. GARCIA-RODRIGUEZ would tell the individuals that he could provide them with legitimate immigration documents and state driver's licenses' in exchange for money. When the individuals asked for proof of identification, GARCIA-RODRIGUEZ would text or email a photo copy of a fictitious government identification with the name "Roberto Garcia R."

6. After gaining an individual's trust, GARCIA-RODRIGUEZ would have the individual transfer money via Money Gram or Western Union to a "Beatriz Adriana Rodriguez" to initiate the document process. After several weeks, GARCIA-RODRIGUEZ would call the individual back and claim to have run into issues with the cards. GARCIA-RODRIGUEZ would then request another deposit for several thousand dollars. The individual would never hear back from GARCIA-RODRIGUEZ and the documents would never be delivered to the individual. If GARCIA-RODRIGUEZ called back, it would be for more money, claiming that another problem presented itself. During the interviews, HSI agents learned that some individuals sent fingerprint cards and passport photos, along with U.S. currency, through the U.S. Postal Service.
7. On June 1, 2018, USPIS inspectors obtained information that a Post Office Box in Pharr, TX 78577 was rented to Beatriz A. Rodriguez (hereinafter "the P.O. Box"). The PO Box was listed for "Residential/Personal Use" or non-business purposes.
8. A review of U.S. Postal Service records found that between June 21, 2017 and June 1, 2018, approximately fifty-seven (55) Priority and Express Mail pieces and two (2) First Class Mail pieces were delivered to the P.O. Box. The mail pieces originated from eleven (11) different states and many locations in Texas. None of the mail pieces originated in the Rio Grande Valley, TX.
9. In June 2018, a USPIS Inspector identified a Priority Mail Envelope destined to the P.O. Box. A search warrant was obtained to search the envelope and agents found immigration related documents with signatures as well as a money order for \$500.00. Agents placed the contents of Priority Mail Envelope back into the respective envelope, re-sealed the envelope, and made the Priority Mail Envelope available for pick-up at the Pharr, TX Post Office. On June 25, 2018, the Priority Mail Envelope was delivered to the P.O. Box and was made available for pick-up.
10. On July 9, 2018, USPIS and HSI Agents made contact with the Sender of the Priority Mail Envelope referenced in paragraph 9 at his residence. Agents informed the Sender of the investigation and obtained consent to search the contents of another Priority Express Mail Envelope intercepted by USPIS Inspectors that was addressed to the P.O. Box. Upon opening the second envelope, a USPIS Inspector found it contained: (1) A blank US Citizenship and Immigration Services Form I-485, Application to Register Permanent Residence or Adjust Status, containing the Sender's signature; (2) A blank unidentified US Citizenship and Immigration Services form, containing the Sender's signature; (3) \$5000 in US Currency; and (4) Two Passport pictures.
11. During an interview with the Sender of the envelopes referenced in paragraphs 9 and 10 (hereinafter "the Sender") and his wife, Agents learned that they made contact with an individual that identified himself as "Mario ORTIZ." ORTIZ advised the Sender

that he would be able to obtain a legitimate driver's license since the Sender already had a social security number.

12. During the first phone conversation, the Sender asked ORTIZ what he would need to obtain a legitimate driver's license. ORTIZ sent the Sender a text with all the document that he would need to obtain the driver's license. The list in the text included: 2 passport photos, signature on a blank page, first and last name, address, city of residence and state of residence, height, weight, eye color, nationality, photo identification, and birth certificate. Along with the documents, ORTIZ requested that the Sender send a blank \$500.00 money order. The Sender mailed all the documents, along with a Wal-Mart \$500.00 money order to the P.O. Box. The Sender stated that ORTIZ had requested that the first documents be mailed to his secretary, Beatriz RODRIGUEZ, at the P.O. Box address. After the initial mailing, ORTIZ requested that the documents be sent to him at the same address.
13. After the Sender mailed the money order to ORTIZ, ORTIZ mailed several pages from the U.S. Citizenship and Immigration Services form I-690 (Application for Waiver of Grounds of Inadmissibility) instructions and highlighted the bottom of the pages where the Sender would sign the sheets and return them.
14. After the Sender sent the money order, ORTIZ called and stated that he had encountered a problem with the issuance of the driver's license. ORTIZ stated that he was being asked about the Sender's citizenship status from another office. He stated that if he did not get the citizenship problem "solved" he would end up in court.
15. The Sender's wife provided conversations that she recorded between the Sender and ORTIZ. During the conversations, ORTIZ tells the Sender that he knows an individual (Garcia RODRIGUEZ) that can help him obtain legitimate immigration documents. ORTIZ states that the Sender must pay \$5000.00 within 30 days to have RODRIGUEZ obtain immigration documents for him. ORTIZ provides the Sender with the GARCIA-RODRIGUEZ's phone number and then tells the Sender that the \$5000.00 must be paid in cash before the thirty days. During the recorded conversation, the Sender asks to pay with a check so that there can be a record of the transaction, but ORTIZ insists that the payment must be made in cash. Several times during the conversation, ORTIZ warns the Sender that if he does not pay soon, he risks having immigration officials initiate an investigation on him.
16. The Sender stated that the total amount that GARCIA RODRIGUEZ charged him for the immigration documents would be \$10,000.00. Agents asked the Sender if GARCIA RODRIGUEZ texted a photograph of his credentials and the Sender stated that he in fact had received several texts of a credential and a social security card from GARCIA-RODRIGUEZ's number. The Sender pulled up the text of the photo and showed it to an HSI Agent. The picture of the credential was identical to the credentials that had been sent to other individuals that had been interviewed from Kansas and Minnesota.